

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Kazuo Nishi et al.	Art Unit :	2629
Patent No. :	7,652,658	Examiner :	Leonid Shapiro
Issue Date :	January 26, 2010	Conf. No. :	3778
Serial No. :	10/807,543		
Filed :	March 24, 2004		
Title :	MULTIDIRECTIONAL PHOTODETECTOR, A PORTABLE COMMUNICATION TOOL HAVING THEREOF AND A METHOD OF DISPLAYING		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER REGARDING PATENT TERM ADJUSTMENT**

The Patent Term Adjustment (PTA) calculation included in the Issue Notification mailed January 6, 2010 for the above-referenced application indicates the PTA is 832 days. This PTA is calculated based on an Applicant delay of 60 days, which appears to be incorrect. In good faith and candor, Patentees direct the Office's attention to two Requests to Withdraw from Issuance filed in April 2009 and August 2009, for which no Applicant Delay was assessed.

Patentees believe that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

4/26/10

  
\_\_\_\_\_  
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# REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF WYETH\*

Attorney Docket

Number: 12732-0224001

Application

Number: 10/807,543

Filing Date

(or 371(b) or (f) Date): March 24, 2004

Patent Number:

7,652,658

Issue Date:

January 26, 2010

First Named

Inventor: Kazuo Nishi

Title:

Multidirectional Photodetector, A Portable Communication Tool Having Thereof and A Method of Displaying

PATENTEE HEREBY REQUESTS RECALCULATION OF THE PATENT TERM ADJUSTMENT (PTA) UNDER 35 USC 154(b) INDICATED ON THE ABOVE-IDENTIFIED PATENT. THE PATENTEE'S SOLE BASIS FOR REQUESTING THE RECALCULATION IS THE USPTO'S PRE-WYETH INTERPRETATION OF 35 U.S.C. 154(b)(2)(A).

Note: This form is only for requesting a recalculation of PTA for patents issued before March 2, 2010, if the sole basis for requesting the recalculation is the USPTO's pre-Wyeth interpretation of 35 U.S.C. 154(b)(2)(A). See Instruction Sheet on page 2 for more information.

Patentees are reminded that to preserve the right to review in the United States District Court for the District of Columbia of the USPTO's patent term adjustment determination, a patentee must ensure that he or she also takes the steps required under 35 U.S.C. 154(b)(3) and (b)(4) and 37 CFR 1.705 in a timely manner.

\*Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010).

Signature

Date

4/26/10

Name:

(Print/Type)

John F. Hayden

Registration Number: 37640

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.